

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Before Commissioners:

Michael Kubayanda, Chairman;  
Ashley E. Poling, Vice Chairwoman;  
Mark Acton;  
Ann C. Fisher; and  
Robert G. Taub

Competitive Product Prices  
Inbound EMS 2

Docket No. CP2021-128

NOTICE AND ORDER CONCERNING CHANGES  
IN PRICES FOR INBOUND EMS 2

(Issued August 11, 2021)

I. INTRODUCTION

On August 10, 2021, the Postal Service filed notice pursuant to 39 CFR 3035.105, announcing its intention to change prices not of general applicability for Inbound EMS 2 effective January 1, 2022.<sup>1</sup>

II. CONTENTS OF FILING

To support its proposed Inbound EMS 2 prices, the Postal Service filed a redacted version of the proposed new rates, a copy of the certification required under

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<sup>1</sup> Notice of the United States Postal Service of Filing Changes in Rates Not of General Applicability for Inbound EMS 2, and Application for Non-Public Treatment, August 10, 2021, at 1 (Notice).

39 CFR 3035.105(c)(2), a redacted copy of Governors' Decision No. 19-1, a redacted copy of the most recent annual EMS Pay-for-Performance (PfP) Plan (for 2022), a redacted copy of the most recent available EMS Cooperative Report Cards for Calendar Year (CY) 2020, and a redacted list of countries expected to participate in PfP in CY 2022.<sup>2</sup> The Postal Service states that the financial workpapers that accompany the Notice include penalties incurred, if any, from the most recent (pre-pandemic) year and that all PfP penalties are applied in the financial workpapers and all lost revenue is deducted accordingly, as directed by Order No. 5660.<sup>3</sup>

Additionally, the Postal Service filed unredacted copies of Governors' Decision No. 19-1, its proposed prices, service performance data and plan, and related financial information under seal. Notice at 2. The Postal Service also filed an application for non-public treatment of materials under seal. *Id.* Attachment 1.

### III. COMMISSION ACTION

The Commission establishes Docket No. CP2021-128 for consideration of matters raised by the Notice and pursuant to 39 U.S.C. 505 appoints Gregory Stanton to serve as Public Representative in this docket.

The Commission invites comments on whether the Postal Service's filing is consistent with 39 U.S.C. 3632, 3633, and 3642, 39 CFR part 3035. Comments are due no later than August 18, 2021. The public portions of the filing can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's filing can be accessed through compliance with the requirements of 39 CFR part 3011.

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<sup>2</sup> Notice at 2-3; see *id.* Attachments 2-6; Attachment 7 Excel file.

<sup>3</sup> Notice at 3; see Docket No. CP2020-250, Order Approving Changes in Prices Not of General Applicability for Inbound EMS 2, August 28, 2020 (Order No. 5660). The Postal Service notes that because penalties were waived in CY 2020 and for CY 2021 in light of the pandemic, the 2019 penalties are used in the workpapers and model in this proceeding. Notice at 3.

#### IV. ORDERING PARAGRAPHS

*It is ordered:*

1. The Commission establishes Docket No. CP2021-128 for consideration of the matters raised by the Postal Service's Notice.
2. Pursuant to 39 U.S.C. 505, Gregory Stanton is appointed to serve as an officer of the Commission to represent the interests of the general public in this proceeding (Public Representative).
3. Comments are due no later than August 18, 2021.
4. The Secretary shall arrange for publication of this Order in the *Federal Register*.

By the Commission.

Jennie L. Jbara  
Alternate Certifying Officer